

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JIMMY LEROY OYLER,

Plaintiff,

vs.

PAYNE COUNTY JAIL,

Defendant.


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Case No. CIV-14-0861-F

ORDER

Plaintiff, an Oklahoma state prisoner appearing *pro se* and *in forma pauperis*, brings this action under 42 U.S.C. § 1983. Magistrate Judge Shon T. Erwin has issued a Report and Recommendation, doc. no. 7, recommending that this case be dismissed with leave to amend. The Report advised the parties that failure to make timely objection to the Report by November 3, 2014, waives the right to appellate review of both factual and legal matters contained in the Report. No objection to the Report has been filed and no extension of time within which to object has been sought. Having conducted its own review and with there being no objection, the Report of Magistrate Judge Erwin is **ACCEPTED, ADOPTED** and **AFFIRMED**. Plaintiff is provided twenty-one days from the date of this order within which to file an Amended Complaint in compliance with the particulars set out in the Report. Failure to do so will result in this action being dismissed at that time.

Dated this 19th day of November, 2014.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE